

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF FEBRUARY 25, 2005

(Published March 5, 2005, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
February 25, 2005 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, President Ostrow.

Absent - Johnson.

Benson moved adoption of the agenda. Seconded.

Niziolek moved to amend the agenda by deleting the PS&RS Report relating to Tonic of Uptown. Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted upon a voice vote 2/25/05.

Benson moved acceptance of the minutes of the regular meeting held February 11, 2005. Seconded.

Adopted upon a voice vote.

Benson moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

RISK MANAGEMENT (270220)
Tort Claims Summary Report: 2004.

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270221)
Soil Correction for Small Residential Lots.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270222)
Home Repair Loan Program: Changes to program reducing the interest rate and modifying guidelines regarding current house payment status.
Tax Forfeit Land Acquisition (3641 5th Av S): Acquisition from Hennepin County.

Cooperative Printing Property (1101 Plymouth Av N & 1109 12th Av N): Approve negotiated settlement terms for acquisition of property to complete street improvements for the Heritage Park Development.

Minneapolis Development Finance Committee: Establish Committee (formerly under the MCDA) and approve guidelines.

Lao Lutheran Church (430 Bryant Av N): Authorize issuance of a General Obligation Note to the Minneapolis Area Service Corporation.

Riverview Homes (Phases II and III): Approve project analysis.

Limited Equity Cooperative Program Funding: Funding recommendation for Riverview Senior Cooperative and Nicollet Island Cooperative.

INTERGOVERNMENTAL RELATIONS (270223)

Update of City of Minneapolis Community Development Block Grant (CDBG) Target Area Map.

COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and W&M/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270224)

Mill Quarter Municipal Parking Ramp Financing: Authorize issuance of General Obligation Tax Increment Bonds; and transfer remaining state grant funds allocated to the project.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270225)

CPED Loan Assets: Policy recommendations relating to ongoing management of loan assets.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (270226)

Armatage Neighborhood Phase II NRP Action Plan: Approve.

Stevens Square Neighborhood Phase II NRP Action Plan: Approve.

HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (270227)

Twin Cities Healthy Start Program: Accept donations in support of 2005 annual meeting in May 2005; and Authorize Finance Department to set up proper accounts to receive donations.

Public Health Laboratory's Forensic Drug Testing: Accept up to \$10,000 and execute grant agreement with Minnesota Department of Public Safety to improve Lab's forensic drug testing capacity; and Approve appropriation.

Smoke Free Policy Surveillance: Accept \$85,000 and execute agreement with Minnesota Partnership for Action Against Tobacco to implement toolkit relating to smoke free ordinance; and Approve appropriation.

INSPECTIONS DEPARTMENT (270228)

Lead Hazard Reduction in Phillips Neighborhood: Execute contract with Professional Service Industries for lead inspection, risk assessment and clearance inspection services.

INTERGOVERNMENTAL RELATIONS and TRANSPORTATION & PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (270229)

NE Diagonal Trail: Pursuit of 2005 Department of Natural Resources Local Trail Connections Grant Program applications.

PUBLIC SAFETY AND REGULATORY SERVICES:

FIRE DEPARTMENT (270230)

2004 Budgetary Leave Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

COUNCIL MEMBER SCHIFF (270231)

Idling of Vehicles: E-mail communications in support of Ordinance to prohibit idling of vehicles and operation of mobile refrigeration units between 10:00 p.m. and 6:00 a.m. *(See Rep of 2/11/05)

INSPECTIONS DEPARTMENT (270232)

Chapter 249 Property at 1618 Fremont Av N: Authorize property owner rehabilitate structure, subject to conditions.

LICENSES AND CONSUMER SERVICES (270233)

License: Applications.

REGULATORY SERVICES (270234)

Citizens Environmental Advisory Committee (CEAC): Approve Mayor and City Council appointments of Christine Zeibold; and Dean Abrahamson.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (270235)

Fire Department Surplus Apparatus: Authorize donate the following outdated equipment — 1984 Pumper to Minneapolis Firefighters Hall & Museum; 1976 Ladder Truck and 1984 Pumper to San Jose del Cabo Bomberos Fire Department in Mexico.

POLICE DEPARTMENT (270236)

“Cold” Case Homicides at the Bureau of Criminal Apprehension: Accept \$90,000 from Target Corporation to fund an investigator from Police Department to work at BCA on cold homicide cases throughout the State; Execute agreement with the BCA; Execute employment agreement to allow Police Department to fill investigator position, if necessary; and Approve appropriation.

Automatic Traffic Law Enforcement System: Execute contract with Redflex Traffic Systems to implement red light cameras.

TRANSPORTATION AND PUBLIC WORKS:

CITY CLERK (270237)

Application for Critical Parking Area: 3500 Block of 45th St.

XCEL ENERGY/NSP (270238)

Utility Poles: Install two (2) new 60' poles on Arthur St NE at Kennedy St, and on Industrial Blvd at Spring St NE; Design #119527.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (270239)

Lake Street Reconstruction, Project #6707: a) Order Reconstruction, Streetscape, and Street Lighting Revitalization work to proceed, adopt special assessments, and request Board of Estimate & Taxation to sell assessment bonds; b) Preliminary approval of establishment of Street Lighting District #1312; c) Approve City/County Cooperative Agreement; d) Approve two capital appropriation amendments; and e) Approve proposed enhancements at Chicago/Lake & Bloomington/Cedar/Lake Streetscape Districts.

PUBLIC WORKS AND ENGINEERING (270240)

Wetland Habitat Restoration, Inc: Increase contract.

City Attorney's Building Lease: 5-year lease for office space in Accenture Building, 333 S 7th St.

Check Guarantee Services: Request for Proposals for check guarantee services at Minneapolis Impound Lot.

Midtown Greenway (Phase 3): Permit agreement & construction plans.
Mill Quarter Regional Storm Water Facility: Capital appropriation amendment.
Joint Water Commission: 20-year contract for sale of water to Crystal, Golden Valley, & New Hope.
Chicago Avenue Bridge Project: Capital appropriation amendment.
Bid: OP #6376, bid of Lunda Construction Company to construct Chicago Avenue Bridge.

WAYS AND MEANS BUDGET:

COORDINATOR (270241)
Final Report of 2004 Charitable Campaign.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (270242)
Legal Settlements: Authorize settlements with Teflon Edwards, Joseph Hoberg, Talisha Miller, and Ronald Blackmon.
Administrative Law Judge Recommendations regarding the matter of Edith Madora Hudson v. City of Minneapolis: Adoption of the Findings Of Fact, Conclusion, And Recommended Decision denying defense and indemnification to former Police Officer John Mills.
Court Reporting Services: Issue Request for Proposals (RFP) for services to the City Attorney's office.
Legal Courier Services: Issue Request for Proposals (RFP).
BUSINESS INFORMATION SERVICES (270243)
AOT Public Safety Corporation and Cognos Corporation: Contracts.
COORDINATOR (270244)
Central Library Project - Construction Change Orders: Increase contracts with a) HKL Cladding Systems, b) PCL Construction Services, and c) Egan Companies, Inc.
FINANCE DEPARTMENT (270245)
Consulting Contract for Pension Reform Services: Expenditure for contractual services; Authorize increasing contract with Deloitte Consulting.
2006 - 2010 Capital Process & Capital Long-Range Improvements Committee (CLIC): 2005 CLIC Schedule and the 2005 Capital Guidelines; City Council Appointments of CLIC members; Provision of tax supported resource direction to CLIC, city departments, independent boards & commissions.
INTERGOVERNMENTAL RELATIONS (270246)
2005 Consolidated Plan Budget Amendment - Reflection of Official HUD Awards: Amend the approved CDBG funding schedule to reflect across-the-board percentage cuts.
REGULATORY SERVICES (270247)
Bid for Lead Hazard Reduction Services: Bid of Minnesota Remodeling and Restoration Company.

ZONING AND PLANNING (See Rep):

PLANNING COMMISSION/DEPARTMENT (270248)
Appeals:
Richard Anderson (re Mpls Public Housing Authority/Linden Hills Townhomes, 3824 W 44th St):
Conditional Use permit & site plan review for five-unit townhouse development.
Rezoning:
Mpls Public Housing Authority (3824 W 44th St);
Alliance Housing, Inc (2740 Minnehaha Ave);
Celeste & Abbie Shahidi (212 Ontario St SE & 825 Washington Ave SE);
Walid El-Hindi (3228 Garfield Ave S);

Patrick Collins (513 & 519 E Lake St);
City of Minneapolis (3701 & 3707 Columbus Ave, 722 E 37th St, 726 E 37th St, 370, 3708 & 3644 Chicago Ave).
Vacations:
Patrick Collins (513 & 519 E Lake St): T-shaped alley bounded by E Lake & 31st Sts, 5th & Portland Aves S (also see Rezoning);
City of Mpls (E 37th St between Columbus Ave S) (see also Rezoning).

PLANNING COMMISSION:

PETERSON, FRAM & BERGMAN (270249)
Permission to vacate street at Ulysses St NE, north of Winter St NE.

FILED:

CITY CLERK/SPECIAL PERMITS (270250)
54th St W, 525 (Bjorn Bowman) fabricate & install free standing sign;
2nd Ave S, 1301 (NASA Convention/Minneapolis Convention Center) animals;
1st Ave N, 600 (Target Center) animal permit for Lipizzaner Stallion show;
2nd Ave S, 1301 (Convention Center) animals for Twin Cities Children's Expo.

The following reports were signed by Mayor Rybak on 3/3/05, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **CLAIMS** Committee submitted the following report:
Claims – Your Committee recommends passage of the accompanying Resolution approving and denying claims appealed from the Staff Claims Committee.
Adopted 2/25/05.
Absent – Lane, Johnson.

Resolution 2005R-092, approving and denying claims appealed from the Staff Claims Committee, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-092
By Zimmermann

Approving and denying claims appealed from the Staff Claims Committee to the Claims Committee of the Minneapolis City Council.

Resolved, by The City Council of The City of Minneapolis:
That the following claims appealed from the Staff Claims Committee be approved and denied as set forth below:

- a) Matthew Alto, 3305 Hennepin Av; Claim: Vehicle Towing (\$133.00)
Claims Committee Recommendation: **Approval**
b) Dawn Autenreith, 3818 20th Av S; Claim: Property Damage (\$427.33)
Claims Committee Recommendation: **Denial**

- c) Inez Melton, 4536 Portland Av S; Claim: Property Damage (\$1,280.67)
Claims Committee Recommendation: **Denial**
- d) David Piehl, 3127 2nd Av S; Claim: Personal and Property Damage (\$11,400.00)
Claims Committee Recommendation: **Denial**
- e) Donald J. Sidman, 3214 38th Av S; Claim: Vehicle Towing (\$133.00)
Claims Committee Recommendation: **Denial**
Adopted 2/25/05.
Absent – Lane, Johnson.

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration Community Development Block Grant (CDBG) home improvement loan guidelines, now recommends approval of the following changes to the guidelines for the Home Repair Loan program:

- a) A reduction in the interest rate for the Home Repair Loan program to one percent (1%); and
- b) Approval of a modification of the program guidelines to only require that the borrower's house payment be current at the time of closing.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev - Your Committee, having been informed that the Community Planning and Economic Development (CPED) Department has identified the final parcel of the fifteen tax forfeited properties that will be acquired from Hennepin County, now recommends that the proper City officers be authorized to proceed with the acquisition of 3641 5th Av S from Hennepin County for \$1.00 in accordance with Amendment #1 to the Memorandum of Understanding with Hennepin County.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev – Your Committee recommends approval of the negotiated settlement terms for acquisition of a portion of the Cooperative Printing Property (1101 Plymouth Av N & 1109 12th Av N) from Julieland, LLC for the amount and according to the terms set forth in Petn No. 270222, to be used to complete street improvements for the Heritage Park Development.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev – Your Committee recommends that the Minneapolis Development Finance Committee (formerly established under the Minneapolis Community Development Agency Ordinance) be established and that the guidelines for the Committee (as contained in Petn No. 270222) be approved.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev – Your Committee, having under consideration an agreement regarding purchase of the Lao Lutheran Church at 430 Bryant Av N as part of the Heritage Park development, now recommends passage of the accompanying resolution authorizing the issuance of a general obligation note to the Minneapolis Area Service Corporation in an amount not to exceed \$305,248.

Your Committee further recommends that the proper City officers be authorized to execute a purchase agreement for the real property at 430 Bryant Av N consistent with the purchase terms described in Petn No. 270222.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

Resolution 2005R-093, authorizing the issuance of a general obligation note to the Minneapolis Area Service Corporation related to the purchase of the Lao Lutheran Church property at 430 Bryant Av N, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-093
By Goodman

Authorizing the issuance of a general obligation promissory note to the Minneapolis Area Service Corporation in connection with the acquisition of real property located at 430 Bryant Avenue North for the Heritage Park Redevelopment Project in the amount of \$305,248.00.

Whereas, the City of Minneapolis (the "City"), a Minnesota municipal corporation exercising powers granted by Minnesota Laws 2003, Chapter 127, Article 12, sections 31-34, (the "Special Law"), adopted Chapter 415, Minneapolis Code of Ordinances (the "Ordinances"), establishing the Department of Community Planning and Economic Development and authorizing transfers to the City of the money, real property, investments, personal property, assets, programs, projects, districts, developments and obligations of the Minneapolis Community Development Agency ("MCDA"); and

Whereas, pursuant to the Special Law and the Ordinances the City has certain powers, including without limitation the powers contained in Minnesota Statutes, Sections 469.001 to 469.047 (the "Act"); and

Whereas, in furtherance of the objectives of the Act, the City has undertaken a program for the rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the city, and in this connection the City is engaged in carrying out a redevelopment project known as the Heritage Park Redevelopment Project (hereinafter referred to as the "Project"); and

Whereas, pursuant to the Act, the City and the MCDA have approved a Redevelopment Plan approved July 30, 1999, as modified to date for the Project; and

Whereas, pursuant to the Act, and specifically Section 469.012, subd. 1, and pursuant to Minnesota Statutes Chapter 475 and Section 469.060, the City is authorized to acquire real property by purchase and to issue bonds such as a general obligation promissory note for such purpose; and

Whereas, the City proposes to enter into a purchase agreement with the Minneapolis Area Service Corporation (the "Seller"), to purchase certain real property located at 430 Bryant Avenue North (the "Property") in the Project area (the "Purchase Agreement"); and

Whereas, the City will not have sufficient available funding to pay the entire purchase price of the Property at the time when the Seller has agreed to convey the Property to the City; and

Whereas, the City Council has determined that it is in the best interests of the City to acquire the Property in advance of having full available funding for the purpose of advancing the redevelopment of the Project; and

Now, Therefore, Be It Resolved by the City Council of the City of Minneapolis:

1. That the City enter into a Purchase Agreement with Minneapolis Area Service Corporation for the acquisition of the Property for a total purchase price not to exceed \$585,000.00 plus applicable relocation benefits and issue to the Minneapolis Area Service Corporation a general obligation promissory note for a portion of the purchase price in an amount not to exceed \$305,248.00.

Be It Further Resolved that this resolution shall be in full force and effect after passage and publication.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Approved Mayor Rybak 2/25/05.

Comm Dev – Your Committee recommends that the new Community Development Block Grant (CDBG) Target Area Map (identified as Map 1 in Petn No. 270223) be adopted, to be effective for FY 2005 CDBG (effective June 1, 2005). New CDBG target neighborhoods are those neighborhoods with at least 50% of households at or below Section 8 Income limits and with housing inventory of at least 3.3% substandard rating.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev - Your Committee, having under consideration an application submitted by JADT Development, LLC for public financial tax increment financing (TIF) assistance for Phase II and III of the Riverview Homes Project, now recommends approval of a project analysis to allow staff to:

- a) Evaluate the Riverview Homes development proposal and TIF application for Phases II and III;
- b) Subject to determination of project eligibility and feasibility, prepare the redevelopment and TIF plans for this project, subject to required reviews, public input, notices and hearings; and
- c) Negotiate the terms and conditions of a redevelopment contract with JADT Development Group, LLC.

Your Committee further recommends that it be clarified that no tax increment funds will be used for Phase II (market rate condominium units) of the project.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev - Your Committee, having under consideration funding recommendations for the Limited Equity Cooperative Program, now recommends approval of up to \$750,000 in funding for Riverview Senior Cooperative by MetroPlains Development Group, LLC.

Your Committee further recommends that the proper City officers be authorized to execute the necessary documents relative to said funding.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

The **COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

Comm Dev, T&PW & W&M/Budget - Your Committee, having under consideration the Mill Quarter Municipal Parking Ramp Project and proposed financing for the ramp, now recommends:

- a) Passage of the accompanying resolution authorizing the issuance and sale of up to \$4,250,000 in General Obligation Tax Increment Bonds; and
- b) Passage of the accompanying resolution increasing the Public Works - Transportation Capital Agency appropriation in the Municipal Parking Fund by \$2,576,867, representing the transfer of remaining state grant funds allocated to the project.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Resolution 2005R-094, authorizing the issuance of up to \$4,250,000 in General Obligation Tax Increment Bonds for the Mill Quarter Municipal Parking Ramp Project, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-094
By Goodman, Colvin Roy and Johnson

Authorizing the sale and issuance of the General Obligation Tax Increment Bonds (Mill Quarter Ramp), Series 2005, in the original principal amount of up to \$4,250,000; providing the form and terms of the obligations, pledging certain tax increment revenues. and making certain findings, covenants, and directions relating to such obligations.

Resolved by The City Council of The City of Minneapolis:

Section 1. Authorization, findings and definitions.

1.01. Prior Project Modifications. Pursuant to Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "Redevelopment Act"), the City of Minneapolis (the "City") established the Industry Square Redevelopment Project Area (the "Industry Square Project") and adopted the Industry Square Redevelopment Plan (the "Industry Square Plan") to provide for the public redevelopment activities necessary to assist with a mixed use project proposed in the riverfront area of downtown Minneapolis. Pursuant to the Redevelopment Act and Minnesota Statutes, Section 469.174 through 469.1799, as amended (the "Tax Increment Act"), the City established the boundaries of the West Side Milling District Project (the "West Side Project") and created the West Side Milling District Tax Increment Financing and Hazardous Substance Subdistrict Plan (the "West Side Plan") to provide for public redevelopment activities, including rehabilitation of historic buildings and development of a historic interpretive center. The City incorporated the Industry Square Project into the Common Project area (the "Common Project") pursuant to the terms of the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan (the "Common Plan") to provide for the public redevelopment of the Common Project.

The City has adopted Modification No. 100 to the Common Project and the Common Plan and Modification No. 19 to the Industry Square Plan to authorize the creation of a new redevelopment tax increment financing district, designated the Park Avenue East TIF District (the "District"), within the Industry Square Project but not within the Common Project, and thus not subject to the obligations of the Common Project. A portion of the property within the District was previously part of the West Side Project, prior to the City's modification of the West Side Plan on June 6, 2003, in which certain properties were deleted from the West Side Project.

1.02. Park Avenue East TIF District. The parcels included in the District are described as Block 1, Lots 1 and 2, the New Mills District Second Addition, with boundaries shown in the Tax Increment Financing Plan for the District (the "TIF Plan"). The District contains vacated railroad right-of-way property and, as such, qualifies as a redevelopment district as defined in Section 469.174, subdivision 10(a)(2), of the Tax Increment Act (defining a redevelopment TIF district as a project found by resolution of the authority to have one or more of certain conditions, including "vacant, unused underused, inappropriately used, or infrequently used railyards, rail storage facilities, or excessive or vacated railroad rights of way" reasonably distributed throughout the district).

The District will facilitate the construction of a parking ramp structure (the "Ramp") on a portion of the property that was removed from the West Side Project, construction of the Park Avenue East Lofts, a luxury condominium development with parking under the building (the "Condominiums"), and future development of lands around and adjacent to the Ramp. The Ramp will contain approximately 324 stalls, including approximately 244 stalls dedicated to public parking (the "Public Parking") and approximately 80 stalls dedicated to parking for certain nearby apartment units expected to be constructed on lands around and adjacent to the Ramp (the "Private Parking"). Tax increment revenues generated by the District, as well as net parking revenues of the ramp, will be applied to the payment of the debt service on general obligation tax increment bonds issued by the City to construct the Public Parking in the Ramp. In addition, during the 2002 legislative session, the Minnesota Legislature adopted legislation authorizing a grant to the City in the amount of \$2,600,000 to support the construction of the Private Parking in the Ramp and a portion of the Public Parking in the Ramp.

1.03. The Tax Increment Finance Plan. In order to provide for the development of the Ramp in the District and to finance the capital and administration costs and public redevelopment costs with respect to the Ramp, the City is proposing to issue general obligation bonds in the original aggregate principal amount not to exceed \$4,250,000 (the "Bonds"). The proceeds derived from the sale of the Bonds will be applied to the payment of public redevelopment costs with respect to the Ramp and the payment of the costs of issuing the Bonds. Payment of the principal of, premium, if any, and interest on the Bonds will be secured by the full faith and credit of the City and, to the extent necessary for this purpose, the City will levy taxes on all taxable property in the City without limitation as to rate or amount. The Bonds are expected to be paid from: (i) net revenues derived from the Ramp; and (ii) tax increment revenues derived from the District (the "Tax Increment Revenues").

1.04. Authority to Issue Bonds. The City is authorized to issue the Bonds to provide permanent financing for the Project and to apply the Tax Increment Revenues and other revenues to the payment thereof under Section 469.178 of the Tax Increment Act and Minnesota Statutes, Chapter 475, as amended (the "Municipal Debt Act"). Pursuant to the terms of Section 475.58, subdivision 1, of the Municipal Debt Act, no election is required because the City Council has determined, and hereby affirms, that not less than twenty percent of the public redevelopment costs with respect to the District is estimated to be received from the Tax Increment Revenues.

Section 2. Issuance of the bonds.

2.01. Findings of the City. The City Council hereby finds, determines, and declares that the issuance, sale, and delivery of the Bonds under the terms and conditions, and for the purposes, set forth in this resolution: (i) are authorized by the Redevelopment Act, the Tax Increment Act, and the Municipal Debt Act; (ii) are consistent with the purposes and goals of the City as set forth in the Industry Square Plan and the TIF Plan; (iii) will further the development and redevelopment purposes for which the Industry Square Project and the District were established; and (iv) are in the best interests of the City.

2.02. Issuance and Sale of the Bonds. In order to finance the costs of the acquisition and construction of the Public Parking component of the Ramp, the City Council hereby authorizes the issuance of the Bonds in the original aggregate principal amount not to exceed \$4,250,000, on such date and upon the terms and conditions determined by the Finance Officer of the City (the "Finance Officer"). The Bonds shall be designated "General Obligation Tax Increment Bonds (Mill Quarter Ramp), Series 2005" or shall be assigned such other designation as the Finance Officer determines.

This authorization to issue the Bonds is effective without any additional action of the City Council and shall be undertaken by the Finance Officer on such date and upon the terms and conditions deemed reasonable by the Finance Officer. The City Council hereby authorizes the sale of the Bonds to the underwriter hereinafter selected by the Finance Officer to purchase the Bonds (the "Underwriter") upon the offer of the Underwriter to purchase the Bonds in accordance with the terms of a Bond Purchase Agreement, to be dated on or after the date of this resolution (the "Bond Purchase Agreement"), between the City and the Underwriter, substantially in the form on file with the City on the date hereof, subject to such changes not inconsistent with this resolution and applicable law that are approved by the Finance Officer.

2.03. Bond Documents. There have been presented to the City Council forms of the following documents: (i) a Trust Indenture, to be dated on or after March 1, 2005 (the "Indenture"), between the City and a financial institution selected by the Finance Officer to act as trustee with respect to the Bonds (the "Trustee"); (ii) a Standby Bond Purchase Agreement, to be dated on or after March 1, 2005 (the "Liquidity Facility"), by and between the City, the Trustee and the Tender Agent and Dexia Credit Local, acting through its New York Branch (the "Liquidity Facility Provider"); (iii) a Tender Agent Agreement, to be dated on or after March 1, 2005 (the "Tender Agent Agreement"), between the City and the Trustee, or other financial institution selected by the Finance Officer to act as tender agent (the "Tender Agent"); (iv) the Remarketing Agreement, to be dated on or after March 1, 2005 (the "Remarketing Agreement"), between the City and the Underwriter; and (v) the Bond Purchase Agreement. The Indenture, the Liquidity Facility, the Tender Agent Agreement, the Remarketing Agreement, and the Bond Purchase Agreement are hereby approved in substantially the forms on file with the City on the date hereof, subject to such changes not inconsistent with this resolution and applicable law that are approved by the Finance Officer. Without limiting the generality of the foregoing, the Finance Officer is authorized to approve changes in the original aggregate principal amount of the Bonds, to approve changes to the terms of redemption, the principal amounts subject to redemption, and the dates of redemption of the Bonds, and to approve other changes to the other terms of the Bonds which are deemed by the Finance Officer to be in the best interests of the City. The issuance and delivery of the Bonds shall be conclusive evidence that the Finance Officer has approved any changes to the forms on file with the City on the date hereof.

2.04. Terms of the Bonds. The Bonds shall have the maturities, interest rate provisions, shall be dated, numbered, and issued in such denominations, shall be subject to mandatory and optional redemptions and prepayment prior to maturity, shall be executed, sealed, and authenticated in such manner, shall be in such form, and shall have such other details and provisions as are prescribed in the Indenture. The forms of the Bonds included in the Indenture are approved in substantially the forms in the Indenture, subject to such changes not inconsistent with this resolution and applicable law, and

subject to such changes that are approved by the Finance Officer. The issuance and delivery of the Bonds shall be conclusive evidence that the Finance Officer has approved any changes to the forms of the Bonds on file with the City on the date hereof. The proceeds derived from the sale of the Bonds shall be held, transferred, expended, and invested in accordance with the directions of the Finance Officer, subject to any applicable terms of the Indenture, and the earnings from all investments of the proceeds of the Bonds shall be held, transferred, expended, and invested in accordance with directions of the Finance Officer, subject to any applicable terms of the Indenture.

2.05. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the prompt and full payment of the principal of, premium, if any, and interest on the Bonds when due. It is hereby estimated that the Tax Increment Revenues and other public revenues to be applied to the payment of the debt service on the Bonds, including the earnings derived from the investment of the foregoing, and other revenues available to pay the principal of, premium, if any, and interest on the Bonds, and expected to be applied to the payment of the principal of, premium, if any, and interest on the Bonds, pursuant to the terms of the Indenture, will produce amounts at least five percent in excess of the amounts needed to meet the principal and interest payments when due on the Bonds, but the City shall levy, in addition to all other taxes, a direct tax upon all taxable property in the City without limitation as to rate or amount, if necessary, to pay the principal of and interest on the Bonds when due.

2.06. Revenues to be Applied to the Bonds. The City Council hereby authorizes the application of the Tax Increment Revenues derived by the City from the District to the payment of the debt service on the Bonds, subject to any valid and superior prior pledges of such revenues, and hereby appropriates such Tax Increment Revenues to such purpose in accordance with the terms of the Indenture and to the extent the Finance Officer, in the discretion of the Finance Officer, determines to apply such revenues to such purpose. The City may pledge the Tax Increment Revenues to any other obligations of the City issued prior or subsequent to the issuance of the Bonds. The pledge may be made on a parity with the Bonds or superior to or subordinate to the pledge to the Bonds.

2.07. Conversion to Fixed Rates and Other Elections. The Finance Officer is hereby authorized to elect a conversion of the Bonds from variable-rate obligations to fixed-rate obligations in accordance with the terms of the Indenture on such date or dates and upon such terms and conditions as the Finance Officer determines in his discretion. The Finance Officer may elect a conversion without any additional authorization from the City Council. The Finance Officer is also hereby authorized to make all other elections with respect to the Bonds, including the optional redemption of all or any portion of the Bonds, on such dates as the Finance Officer determines to be in the best interests of the City on such date or dates and upon such terms and conditions as the Finance Officer determines in his discretion. Such elections may be made by the Finance Officer without any additional authorization from the City Council.

2.08. Representation Letter. The form of Blanket Letter of Representations (the "Representation Letter") proposed to be submitted to The Depository Trust Company, which is on file with the Finance Officer, is hereby approved, and the Finance Officer is authorized to execute and deliver the Representation Letter in substantially the form on file, with such changes therein not inconsistent with applicable law, as the Financial Officer may approve, which approval shall be conclusively evidenced by the execution thereof. Any paying agent or bond registrar subsequently appointed by the City with respect to the Bonds shall agree to take all actions necessary to ensure compliance with all representations of the City in the Representation Letter with respect to the bond registrar and paying agent, respectively.

Section 3. Disclosure documents and closing certificates.

3.01. Disclosure of Material Information. The preparation of an Official Statement (or other form of disclosure document) in conjunction with the offer and sale of the Bonds is hereby authorized. When approved by the Finance Officer of the City, the Official Statement (or other form of disclosure document) is authorized to be distributed in conjunction with the offer and sale of the Bonds. In order to provide for continuing disclosure with respect to the Bonds, to the extent deemed necessary, required, or appropriate by the Finance Officer, the Finance Officer and the Trustee may execute and deliver an agreement or certificate providing for continuing disclosure with respect to the Bonds.

3.02. Certificates as to Disclosure and Litigation. The Finance Officer is authorized to furnish to the purchasers of the Bonds, on the date of issuance and sale of the Bonds, a certificate that, to the best of the knowledge of such officer, the Official Statement (or other form of disclosure document) does

not, as of the date of closing, and did not, as the time of sale of the Bonds, contain any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Unless litigation shall have been commenced and be pending questioning the Bonds, proceedings for approval of the Bonds, taxes levied for payment of the Bonds, revenues pledged for payment of the Bonds, or the organization of the City, or incumbency of its officers, at the closing, the Finance Officer shall also execute and deliver a suitable certificate as to absence of material litigation, and the Finance Officer shall also execute and deliver a certificate as to payment for and delivery of the Bonds, and the signed approving legal opinion of Kennedy & Graven, Chartered, as to the validity and enforceability of the Bonds and the tax-exempt status of interest on the Bonds.

3.03. Other Certifications. The Mayor, the President of the City Council, the City Clerk, the Finance Officer, and other elected officials, agents, officers, and employees of the City are hereby authorized and directed, individually and collectively, to furnish to the attorneys approving the Bonds, on behalf of the purchasers of the Bonds, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, and the right and authority of the City to issue the Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City. Such elected officials, officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriter, the Liquidity Facility Provider, the Trustee, or other persons or entities in conjunction with the issuance of the Bonds and the expenditure of the proceeds of the Bonds. Without imposing any limitations on the scope of the preceding sentence, such elected officials, officers, employees, and agents are specifically authorized to execute and deliver one or more UCC-1 financing statements, a certificate relating to federal tax matters including matters relating to arbitrage and arbitrage rebate, a receipt for the proceeds derived from the sale of the Bonds, an order to the Trustee, a general certificate of the City, and an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G (Rev. November 2000).

3.04. Certified Copy of Resolution. The City Clerk is hereby authorized and directed to certify a copy of this resolution and cause the same to be filed with the Director of the Taxpayer Services Department of Hennepin County, exercising the powers of the county auditor under Minnesota Statutes, Section 475.63, and to obtain the certificate of the Director of the Taxpayer Services Department of Hennepin County as to the registration of the Bonds. Copies of this resolution shall also be delivered to the Finance Officer.

Section 4. Reimbursement Resolution.

4.01. Reimbursement Resolution. The United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Treasury Regulations, Section 1.150-2 (the "Regulations"), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and that the reimbursement allocation made from the proceeds of the bonds occur within eighteen months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

The City reasonably expects to reimburse itself for expenditures made within the District and the Industry Square Project in accordance with the requirements of the City from the proceeds of the Bonds in an estimated maximum original aggregate principal amount not exceeding \$4,250,000, after the date of payment of all or a portion of such costs. All reimbursed expenditures will be capital expenditures, costs of issuance of the Bonds, or other expenditures eligible for reimbursement under Treasury Regulations, Section 1.150-2(d)(3), and also qualifying expenditures under the Redevelopment Act and the Tax Increment Act. No expenditures made within the District and Industry Square Project in accordance with the requirements of the City have been made by the City more than sixty days before the date of adoption of this resolution (or any prior reimbursement resolution) other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Treasury Regulations, Section

1.150-2(j)(2)(i)(B); (iii) expenditures constituting preliminary expenditures within the meaning of Treasury Regulations, Section 1.150-2(f)(2); or (iv) expenditures in a "de minimus" amount (as defined in Treasury Regulations, Section 1.150-2(f)(1)). As of the date hereof, there are no funds of the City reserved, allocated on a long-term basis, or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the City as they exist or are reasonably foreseeable on the date hereof.

Section 5. Miscellaneous.

5.01. Agreements Binding. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, nor any officer executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

5.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be constructed to confer upon any person (other than as provided in the Indenture and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

5.03. Validity. If for any reason the Mayor, President of the City Council, Finance Officer, City Clerk, or any other elected officials, officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an elected official, officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Mayor, President of the City Council, Finance Officer, City Clerk, or any other elected officials, officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

5.04. Tax Covenant. The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Bonds or any use of the facilities financed with the proceeds of the Bonds that would cause the Bonds to be deemed to be "private activity bonds," within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City shall not take any action or authorize any action to be taken in connection with the application or investment of the proceeds of the Bonds or any related activity that would cause the Bonds to be deemed to be "arbitrage bonds", within the meaning of Section 148 of the Code. Furthermore, the City shall take all such actions as may be required under the Code to ensure that interest on the Bonds is not and does not become includable in gross income for federal income tax purposes.

5.05. Rating. The Finance Officer of the City is hereby authorized to seek a rating or ratings for the Bonds from such nationally recognized rating agencies as determined by the Finance Officer; and is hereby authorized to deliver to such rating agencies such information relating to the City and the Bonds as shall be requested by such rating agencies for the purpose of assigning an investment rating to the Bonds.

5.06. Effective Date. This Resolution shall take effect and be in force from and after its approval and publication.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

RESOLUTION 2005R-095
By Goodman, Colvin Roy and Johnson

Amending the 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Transportation Capital Agency in the Municipal Parking Fund (7500-943-9464, Project #RMP04) by \$2,576,867 and increasing the revenue source (7500-943-9464 - Source 3755) by \$2,576,867 to be reimbursed by transferring the remaining State Grants from Fund SMN0.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the Armatage Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

- 1) Approval of said action plan (as included in Petn No 270226) and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$375,682;
- 2) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$352,571, to the NRP fund for implementation of the Armatage Neighborhood Action Plan; and
- 3) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

RESOLUTION 2005R-096
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$352,571.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev & W&M/Budget - Your Committee, having under consideration the Stevens Square Neighborhood Revitalization Program (NRP) Phase II Neighborhood Action Plan, now recommends:

- 1) Approval of said action plan (as included in Petn No 270226) and specifically those parts of the Plan that fall under City jurisdiction, with the total cost of the Plan not to exceed \$376,427;
- 2) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$351,427, to the NRP fund for implementation of the Stevens Square Neighborhood Action Plan; and
- 3) That the proper City officers be authorized to enter into any contracts or agreements needed to implement said Plan.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

RESOLUTION 2005R-097
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$351,427.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

Comm Dev & W&M/Budget - Your Committee, having under consideration policies relating to the management of loan assets of the Community Planning and Economic Development (CPED) Department, now recommends approval of the policy recommendations set forth in Petn No 270225 that relate to the on-going management of loan assets of the City of Minneapolis that were established by CPED/Minneapolis Community Development Agency.

Adopted 2/25/05.

Absent - Zimmermann, Schiff, Lilligren, Johnson.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

H&HS & W&M/Budget – Your Committee, having under consideration the Twin Cities Healthy Start Program, which will be hosting a celebration and the annual meeting for all participants and supporters of the program in May 2005, now recommends that the proper City Officers be authorized to accept donations from program partners in support of the 2005 annual meeting. Further, that the Finance Department be authorized to set up the proper accounts in the Health Department Agency (060-860-8624 – Revenue Source 3720) to receive these donations.

Adopted 2/25/05.

Absent - Johnson.

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept up to \$10,000 in funding from the United States Department of Justice, “Paul Coverdell Forensic Science Improvement Grant Program”, and execute a grant agreement with the Minnesota Department of Public Safety, to improve the Minneapolis Public Health Laboratory’s forensic drug testing capacity during the period October 1, 2004 through July 31, 2005. Further, passage of the accompanying Resolution appropriating \$10,000 to the Department of Health & Family Support.

Adopted 2/25/05.

Absent - Johnson.

RESOLUTION 2005R-098
By Johnson Lee and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants – Federal Fund (030-860-8614) by \$10,000 and increasing the Revenue Source (030-860-8614 – Source 3210) by \$10,000.

Adopted 2/25/05.

Absent - Johnson.

H&HS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept a grant award of \$85,000 and execute an agreement with the Minnesota Partnership for Action Against Tobacco to implement a smoke-free policy surveillance toolkit during the period February 1, 2005 through April 30, 2006. The Department of Health & Family Support will partner with the Minnesota Institute on Public Health and other municipalities that have enacted a smoke-free ordinances to measure the economic impact of the ordinance on affected business establishments; monitor complaints and compliance with the ordinance; and assess public opinion regarding the effects of the ordinance. Further, passage of the accompanying Resolution appropriating \$85,000 to the Department of Health & Family Support.

Adopted 2/25/05.

Absent - Johnson.

RESOLUTION 2005R-099
By Johnson Lee and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8618) by \$85,000 and increasing the Revenue Source (060-860-8618 – Source 3720) by \$85,000.

Adopted 2/25/05.

Absent - Johnson.

H&HS & W&M/Budget – Your Committee, having under consideration a request to contract for lead inspection, risk assessment and clearance inspection services in dwelling units occupied by children in the Phillips Neighborhood as part of the United States Department of Housing & Urban Development (HUD) Round XII Grant Project, now recommends:

H&HS – that the request be sent forward without recommendation.

W&M/Budget – that the proper City Officers be authorized to execute a contract with Professional Service Industries, Inc., to perform said services, in an amount not to exceed \$150,000, payable from grant funds.

Johnson Lee moved that the report be referred back to the Health & Human Services Committee. Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas - Johnson Lee, Niziolek, Benson, Ostrow.

Nays - Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Goodman, Lane, Samuels.

Absent - Johnson.

Johnson Lee moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Health & Human Services Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 2/25/05.

Yeas, 11; Nays, 1 as follows:

Yeas - Colvin Roy, Zimmermann, Schiff, Zerby, Lilligren, Johnson Lee, Benson, Goodman, Lane, Samuels, Ostrow.

Nays - Niziolek.

Absent - Johnson.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR – Your Committee recommends passage of the accompanying resolution supporting the Community Development Block Grant program.

Adopted 2/25/05.

Absent – Johnson.

Resolution 2005R-100, supporting the Community Development Block Grant program and opposing the changes proposed for this program in the President's FY 2006 budget, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-100
By Benson

Supporting the Community Development Block Grant (CDBG) program.

Whereas, the City of Minneapolis has been a recipient of Community Development Block Grant Funds since 1974; and

Whereas, since that time, the city has used this funding for its low income residents to preserve and produce affordable home ownership and rental housing opportunities, to leverage the city's infrastructure, human capital and development assets, and to support the ability of community-based organizations to deliver needed services based on neighborhood specific priorities; and

Whereas, CDBG programming has engaged the city's low income residents in guaranteeing fair housing, delivering services in multicultural manner, reviewing and providing input to development proposals; and

Whereas, this funding has stimulated private investment in areas of the city that have too often been forgotten by market forces; and

Whereas, the hallmark strength of CDBG is local determination on how best to meet national priorities leading to programming that provides for viable communities in line with this decentralized philosophy; and

Whereas, last year city CDBG expenditures assisted 25,000 persons with community-based delivery of public services, created 339 jobs, funded 34 business development associations, supported the development of 574 housing units affordable to low income families, financed the rehabilitation of 21 childcare centers, and provided assistance to 4 community programming facilities serving areas composed of 84 percent low and moderate income households; and

Whereas, the proposed White House FY 2006 changes in the CDBG program could mean that our funding would drop from \$16.3 million in 2004 to conservatively less than \$8 million;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis joins with the United States Conference of Mayors, the National League of Cities, the National Association of Counties, business organizations and community economic development organizations in support of the Community Development Block Grant (CDBG) program. Accordingly, we oppose the changes proposed for this program in the President's FY 2006 budget.

Adopted 2/25/05.

Absent – Johnson.

IGR – Your Committee recommends approval of the appointment of Scott Benson as the City Council representative on the board of the Association of Metropolitan Municipalities, replacing Barbara Johnson, and that Paul Ostrow be designated as an alternate.

Adopted 2/25/05.

Absent – Johnson.

The **INTERGOVERNMENTAL RELATIONS and TRANSPORTATION AND PUBLIC WORKS** Committees submitted the following report:

IGR & T&PW – Your Committee recommends that the Department of Public Works be authorized to pursue 2005 Department of Natural Resources Local Trail Connection Grant Program applications for the NE Diagonal Trail, which is located along the abandoned BNSF rail corridor in Northeast Minneapolis.

Adopted 2/25/05.

Absent – Johnson.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred back by the City Council on February 16, 2005 a report relating to the application of AMPA Inc, dba Y'All Come Back Saloon, 830 Hennepin Av, for an On-Sale Liquor Class A with Sunday Sales License to expire January 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/25/05.

Declining to Vote - Benson.

Absent - Johnson.

PS&RS - Your Committee, having under consideration the application of Kierans Irish Pub LLC, dba Kierans Irish Pub, 330 2nd Av S, for an On-Sale Liquor Class A with Sunday Sales License (change in ownership), to expire January 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

PS&RS - Your Committee, having under consideration the application of FACES Inc, dba Southside Group Home, 3222 16th Av S, for a Lodging House with Boarding License (new proprietor), to expire November 1, 2005, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/25/05.

Absent - Johnson.

PS&RS - Your Committee, having under consideration the application of Family Counseling & Extended Services Inc, dba FACES Southside Group Home, 3532 3rd Av S, for a Lodging House with Boarding License (new business), to expire November 1, 2005, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/25/05.

Absent - Johnson.

PS&RS - Your Committee, having under consideration the application of 331 Club Inc, dba 331 Club, 331 13th Av NE, for an On-Sale Liquor Class C-2 with Sunday Sales License (change in ownership), to expire January 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Niziolek moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 2/25/05.

PS&RS - Your Committee, having under consideration the application of Tibet's Corner LLC, dba Tibet's Corner, 3008 Hennepin Av, for an On-Sale Wine Class E with Strong Beer License (new business), to expire April 1, 2005, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

Resolution 2005R-101, granting Liquor, Wine and Beer Licenses, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-101

By Niziolek

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

Off-Sale Liquor, to expire July 1, 2006

John Wolf Enterprises Inc, dba Chicago Lake Liquor Store, 825 E Lake St;

Liquor Depot Inc, dba Liquor Depot, 1010 Washington Av S;

South Lyndale Liquors Inc, dba South Lyndale Liquor, 5300 Lyndale Av S;

Off-Sale Liquor, to expire October 1, 2005

Uptown Brewing Company LLC, dba Uptown Brewing Company, 2922 Lyndale Av S (growler license; new business);

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2006

Kabanuk Diversified Investments, dba Tropix Beach Club, 400 3rd Av N;

Bellanotte Hospitality LLC, dba Bellanotte, 600 Hennepin Av #170;

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2006

Topshelf Club Inc, dba Club Spin/Club Cream, 10 S 5th St;

Seville Operations LLC, dba The Seville Club, 15 Glenwood Av;

Skyway Lounge Inc, dba Skyway Lounge, 723 Hennepin Av;

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2006

Wellbridge Licensing Inc, dba Calhoun Beach Club, 2730 W Lake St;

Brinda-Heilicher of Mpls Inc, dba Williams Uptown Pub & Peanut Bar, 2911 Hennepin Av;

Minikahda Club, dba Minikahda Club, 3205 Excelsior Blvd;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2005

Old Chicago of Colorado Inc, dba Old Chicago, 510 1st Av N #SF-508;

Old Chicago of Colorado Inc, dba Old Chicago, 2841 Hennepin Av;

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2006

Was Partners LLC, dba Nochee, 500 Washington Av S;

Caboose Enterprises, Inc, dba Caboose, 913 Cedar Av S, 1st floor;

JWM Investments Inc, dba Mayslack's, 1428 4th St NE;

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2006

11th Street Restaurant Inc, dba Times Bar & Cafe/Jitters at the Times, 201 E Hennepin Av;

Arthurs Riverfront Properties Inc, dba Moose on Monroe, 356 Monroe St NE;

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av;

Minneapolis Club, dba Minneapolis Club, 729 2nd Av S;

Indian Restaurants of Minnesota LLC, dba New Delhi Bar & Restaurant, 1400 Nicollet Av;

Toonen Inc, dba Uptown Bar & Cafe, 3016 Hennepin Av;

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2005

Last Cowboy Inc, dba Bar Abilene, 1300 Lagoon Av (new manager);

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2005

Sega Gameworks LLC, dba Gameworks, 600 Hennepin Av #110;

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2006

Jaeger Corporation, dba Clubhouse, 923 Washington Av N (change in ownership from Brandons 923 Inc);

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2006

It's Greek to Me Inc, dba It's Greek to Me, 626 W Lake St;

Satellite Productions Inc, dba The Craftsman, 4300 E Lake St;

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2005

Brit's Ltd, dba Brit's Pub & Eating Establishment, 1110 Nicollet Mall;

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2006

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE;

On-Sale Liquor Class C-2 with Sunday Sales, to expire February 5, 2005

Dashen Restaurant & Bar LLC, dba Dashen Restaurant, 2713 E Lake St (temporary expansion of premises February 5, 2005, 8:00 p.m. to 4:00 a.m. at 3003 27th Av S in parking lot;

On-Sale Liquor Class D with Sunday Sales, to expire July 1, 2005

Pacific Asian Restaurants Inc, dba Kikugawa, 43 Main St SE;

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2006

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 50 S 6th St;

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 225 E Hennepin Av;

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 800 Washington Av SE;

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 1040 Nicollet Mall;

Chipotle Mexican Grill of Colorado LLC, dba Chipotle Mexican Grill, 2600 Hennepin Av;

Cintia's of Mexico Bar & Restaurant Inc, dba Cintias, 6042 Nicollet Av;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2006

Haza Charters Inc, dba 19 Bar, 19 W 15th St;

Harrison Restaurant Holdings Inc, dba Sawatdee Bar & Café, 118 4th St N;

Pizza Luce Inc, dba Pizza Luce, 119 4th St N;

Dan Kelly's Corporation, dba Dan Kelly's Bar & Grill, 212 S 7th St;

Brinda Investments Inc, dba Tugg's on the River, 219 Main St SE;

John V Rimarcik, dba Monte Carlo, 219 3rd Av N;

Nami LLC, dba Nami Restaurant, 251 1st Av N;

Apple American Limited Partnership of Minnesota, dba Applebee's Neighborhood Grill & Bar, 601 1st Av N;

Oceanaire Restaurant Company Inc, dba Oceanaire Seafood Room, 1300 Nicollet Mall;

Market Bar-B-Que Inc, dba Market Bar-B-Que, 1414 Nicollet Av;

Green Mill Enterprises Inc, dba Green Mill Too, 2626 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2005

Famez Enterprises Inc, dba Arone's Bar, 500 Central Av NE;

Urban Entrepreneurs LLC, dba Independent, 3001 Hennepin Av;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2005

RCSH Operations Inc, dba Ruth's Chris Steak House, 920 2nd Av S #295 (new corporate officer; new manager);

K H Enterprises Mpls Inc, dba Porter's Bar & Grill, 2647 Nicollet Av;

Dogs Howling Inc, dba Boom!, 401 E Hennepin Av (new manager);

Temporary On-Sale Liquor

Minnesota Restaurant Association, dba Minnesota Restaurant Association, 305 E Roselawn Av, St. Paul (February 20, 2005, 11:00 a.m. to 5:00 p.m.; February 21, 2005, 11:00 a.m. to 5:00 p.m.; and February 22, 2005, 11:00 a.m. to 5:00 p.m.; Licensed Facilitator: Kelber Catering at Minneapolis Convention Center);

On-Sale Wine Class A with Strong Beer, to expire April 1, 2006

Theatre De La Jeune Lune, dba Theatre De La Jeune, 105 1st St N;

Illusion Theater & School Inc, dba Illusion Theater, 528 Hennepin Av;

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2005

La Tortuga Inc, dba La Tortuga, 2411 Central Av NE (new business);

On-Sale Wine Class C-2 with Strong Beer, to expire April 1, 2006

Harley A Thompson, dba Casey's Bar & Grill, 3510 Nicollet Av (new manager);

On-Sale Wine Class D with Strong Beer, to expire April 1, 2005

MDC Foods Inc, dba Curran's Restaurant, 4201 Nicollet Av (new business);

On-Sale Wine Class D with Strong Beer, to expire April 1, 2006

Chatterbox Enterprises Inc, dba Chatterbox Pub, 2229 E 35th St;

France 44 Foods Inc, dba France 44 Deli & Market, 4351 France Av S;

On-Sale Wine Class E with Strong Beer, to expire April 1, 2005

Noodle Shop Company - Minnesota Inc, dba Noodles & Company, 233 Cedar Av S (new manager);

Cardinal Bar Inc, dba Cardinal Restaurant & Bar, 2916 E 38th St (new shareholder/partner; new corporate officer);

Manning's Cafe Inc, dba Manning's Cafe, 2200 Como Av SE;

On-Sale Wine Class E with Strong Beer, to expire April 1, 2006

Hells Kitchen Inc, dba Hells Kitchen, 89 S 10th St;

D'Amico & Sons LLC, dba D'Amico & Sons, 2210 Hennepin Av;

Pierre's Bistro Inc, dba Pierre's Bistro, 2221 W 50th St;

Lorenzo & Giorgio Inc, dba Pane E Vino, 2451 Hennepin Av;

Christos Inc, dba Christos, 2632 Nicollet Av;

Pop! Restaurant Inc, dba Pop! A Neighborhood Restaurant, 2859 Johnson St NE;

John & Midori Flomer, Floating World Cafe, 3011 27th Av S;

Pizza Luce II Inc, dba Pizza Luce, 3200 Lyndale Av S;

Nelmatt LLC, dba Matt's Bar, 3500 Cedar Av S;

Minnehaha Falls Corporation, dba Pearson's Edina Restaurant, 3808 W 50th St;

Old School BBQ Inc, dba Famous Daves, 4264 Upton Av S;

Great Wall Incorporated, dba Great Wall Chinese Restaurant, 4515 France Av S;

First Course Inc, dba First Course, 5607 Chicago Av;

Food Services Inc, dba 5-8 Club, 5800 Cedar Av S;

On-Sale Wine Class E with 3.2% Beer, to expire April 1, 2006

Rosvold Enterprises Inc, dba Campus Pizza, 818 Washington Av SE;

On-Sale Wine Class E, to expire April 1, 2005

Cafe SFA-Minneapolis Inc, dba Cafe SFA, 651 Nicollet Mall.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 2/25/05.

Absent - Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

Resolution 2005R-102, granting applications for Business Licenses, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-102

By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of February 25, 2005 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 270233):

Dancing School; Confectionery; Food Distributor; Grocery; Indoor Food Cart; Food Manufacturer; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Going Out of Business; Hotel/Motel; Lodging House; Lodging House with Boarding; Motor Scooter Leasing; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class B; Commercial Parking Lot Class A; Pawnbroker Class A; Plumber; Refrigeration Systems Installer; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Exhibition Operator Class A; Sign Hanger; Skating Rink - Ice, Roller; Swimming Pool - Public; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle Nontransferable; Theater Zone I; Tobacco Dealer; Combined Trades; and Tree Servicing.

Adopted 2/25/05.

Absent - Johnson.

Approved by Mayor Rybak 2/25/05.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-103, granting applications for Gambling Licenses, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-103

By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Class B

Edison Youth Hockey, Edison Youth Hockey, 1306 Central Av NE (Site: Whiskey Junction, 901 Cedar Av);

Edison Booster Club, dba Edison Booster Club, 522 36 ½ Av NE (Site: Stand Up Franks, 2027 2nd St N);

Edison Booster Club, dba Edison Booster Club, 522 36 ½ Av NE (Site: Shaw's Bar & Grill, 1528 University Av NE);

Edison Booster Club Inc, dba Edison Booster Club Inc, 522 36 ½ Av NE (Site: U Otter Stop In, 617 Central Av NE);

Gambling Lawful Exempt

Hopkins Education Foundation, dba Hopkins Education Foundation, 1001 Highway 7, Hopkins (Raffle February 26, 2005 at International Market Square, 275 Market St);

Minnesota 100 Club, dba Minnesota 100 Club, 1187 N Dale St, St. Paul (Raffle March 24, 2005 at Jax Restaurant, 1928 University Av NE);

Womans Club of Minneapolis, dba Womans Club of Minneapolis, 410 Oak Grove St (Raffle April 6 & 30, 2005);

Twin Cities Habitat for Humanity, dba Twin Cities Habitat for Humanity, 3001 4th St SE (Raffle April 9, 2005 at Intersection of Power St & Merriam St);

Breck School, dba Breck School, 123 Ottawa Av N (Raffle April 16, 2005 at The Depot, 300 Washington Av S);

Make A Wish Foundation of Minnesota, dba Make A Wish Foundation of Minnesota, 5155 E River Rd #413 (Raffle November 13, 2005 at International Market Square, 275 Market St).

Adopted 2/25/05.

Absent - Johnson.

PS&RS - Your Committee recommends passage of the accompanying Resolution approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Shaw's Bar & Grill, 1528 University Av NE.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

Resolution 2005R-104, approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Shaw's Bar & Grill, 1528 University Av NE, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-104

By Niziolek

Approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Shaw's Bar & Grill, 1528 University Av NE.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on February 9, 2005 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations as a result of the licensee having violated the Minneapolis Code of Ordinances and Minnesota Statutes by failing to provide proof of liquor liability insurance;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

a. that CFG Insurance Services will submit a letter to the Licenses & Consumer Services Division by March 11, 2005 indicating proof of liquor liability insurance; and that the coverage period will run from January 1 to January 1 each year, and will be submitted by December 15th each year.

b. that if CFG Insurance Services is unwilling to submit such a letter, the licensee will submit a letter by March 11, 2005 stating that they will change insurance carriers by December 15, 2005. The new carrier must agree that the coverage period will run from January 1 to January 1 starting in 2006, and that they will submit proof of coverage by December 15th each year.

c. the licensee shall be assessed a fine of \$400, of which \$200 shall be stayed for a period of one year, provided that the licensee complies with the submission of the above-mentioned letters.

d. if liquor liability insurance coverage is not submitted properly and on time by December 15, 2005, the stayed portion of the fine will be immediately due, in addition to any other fine assessed for failure to produce coverage for calendar year 2006.

Adopted 2/25/05.

Declining to vote - Benson.

Absent - Johnson.

PS&RS - Your Committee recommends that the following persons be appointed to the Citizens Environmental Advisory Committee (CEAC) for two-year terms to expire December 31, 2006:

Mayoral Appointment

Christine Zeibold, 3232 Bryant Av S (Ward 10), as business representative

City Council Appointment

Dean Abrahamson, 82 Orlin Av SE (Ward 2), as environmental advocacy.

Adopted 2/25/05.

Absent - Johnson.

PS&RS - Your Committee, having under consideration the property located at 1618 Fremont Av N (PID #16-029-24-42-0108) which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the property owner be authorized to rehabilitate the structure, subject to the following terms, and in accordance with the Findings of Fact, Conclusions and Recommendations on file in the Office of the City Clerk which are made a part of this report by reference:

- a. the property owner is ordered to schedule a Code Compliance, secure a general contractor and work with staff to develop a scope of work for the project.
- b. the property owner is ordered to supply evidence of securing a performance bond.
- c. the property owner is ordered to complete rehabilitation and secure a Certificate of Code Compliance within six months.
- d. the property owner is ordered to pay back taxes and any outstanding water bill.
- e. if the owner fails to abide by this order, the Director of Inspections shall immediately notify the Committee, which may order immediate demolition or otherwise amend its order.

Adopted 2/25/05.

Absent - Johnson.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to donate the following outdated surplus Fire Department trucks:

- a. 1984 Pumper, Equipment Unit #71730, to Minneapolis Firefighters Hall & Museum.
- b. 1976 Ladder Truck, Equipment Unit #71180, and 1984 Pumper, Equipment Unit #71720, to San Jose del Cabo Bomberos Fire Department in Mexico.

Adopted 2/25/05.

Absent - Johnson.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to:

- a. accept \$90,000 from Target Corporation to provide funds for an investigator from the Police Department to work at the Minnesota Department of Public Safety, Bureau of Criminal Apprehension (BCA) on old ("cold") homicide cases from throughout the State
- b. execute an agreement with the BCA; and
- c. execute an employment agreement to allow the Police Department to fill the investigator position, if necessary.

Further, passage of the accompanying Resolution appropriating \$90,000 to the Police Department.

Adopted 2/25/05.

Absent - Johnson.

RESOLUTION 2005R-105

By Niziolek and Johnson

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-C013) by \$90,000 and increasing the Revenue Source (060-400-C013 - Source 3720) by \$90,000.

Adopted 2/25/05.

Absent - Johnson.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute a contract with Redflex Traffic Systems, in an amount not to exceed \$965,000 annually, to provide the City with a comprehensive Automatic Traffic Law Enforcement System (Red Light Cameras), to include all hardware, software, detection equipment, image retrieval and data storage, installation, maintenance and replacement, citation issuance and processing, registered owner data retrieval, data transfers, compressive records and data retrieval, evidence packages, expert witnesses, training, customer relations, and community outreach, as more fully set forth in Petn No 270236 on file in the Office of the City Clerk.

Adopted 2/25/05.

Absent - Johnson.

The **TRANSPORTATION & PUBLIC WORKS** abd **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street East Reconstruction Project (5th Av S to Hiawatha Av S), and having held a Public Hearing thereon, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$775,940 for the purpose of paying the assessed cost of the street improvements in the project.

Adopted 2/25/05.

Absent – Johnson.

Resolution 2005R-106, ordering the work to proceed and adopting the special assessments for the Lake St E (5th Av S to Hiawatha Av S) Street Reconstruction Project, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-106
By Colvin Roy and Johnson

Lake Street E (5th Av S to Hiawatha Av S) Street Reconstruction Project
Special Improvement of Existing Street No 6707

Ordering the work to proceed and adopting the special assessments for the Lake Street E (5th Av S to Hiawatha Av S) Street Reconstruction Project.

Whereas, a public hearing was held on February 15, 2005 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2005R-018 passed January 14, 2005, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2005R-018 passed January 14, 2005.

Be It Further Resolved that the proposed special assessments in the total amount of \$775,939.73 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2006 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2006 real estate tax statements.

Adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-107, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$775,940 for the purpose of paying the assessed cost of street improvements in the Lake St E Street Reconstruction Project, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-107
By Colvin Roy and Johnson

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$775,940 for certain purposes other than the purchase of public utilities.

Resolved By The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lake Street E (5th Av S to Hiawatha Av S) Street Reconstruction Project, Special Improvement of Existing Street No 6707, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 2/25/05.

Absent - Johnson.

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street East (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project, and having held a Public Hearing thereon, now recommends passage of the accompanying Resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,819,300 for the purpose of paying the assessed cost of the improvements in the project.

Adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-108, ordering the work to proceed and adopting the special assessments for the Lake St E (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-108
By Colvin Roy and Johnson**

**Lake Street E (5th Av S to Hiawatha Av S)
Streetscape and Street Lighting Revitalization Project
Special Improvement of Existing Street No 6707**

Ordering the work to proceed and adopting the special assessments for the Lake Street E (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project.

Whereas, a public hearing was held on February 15, 2005 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2005R-019 passed January 14, 2005, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in Resolution 2005R-019 passed January 14, 2005.

Be It Further Resolved that the proposed special assessments in the total amount of \$3,819,293 as on file in the office of the City Clerk are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at fifteen (15) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2006 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2006 real estate tax statements.

Adopted 2/25/05.

Absent – Johnson.

Resolution 2005R-109, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,819,300 for the purpose of paying the assessed cost of street improvements in the Lake St E (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2005R-109
By Colvin Roy and Johnson**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$3,819,300 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Lake Street E (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project Special

Improvement of Existing Street No 6707, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in fifteen (15) successive annual installments, payable in the same manner as real estate taxes.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget – Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the street lighting districts, a public hearing was held on February 15, 2005 to consider the establishment of Street Lighting District No 1312 and to consider all written and oral objections and statements regarding this matter.

Your Committee now recommends that Street Lighting District No 1312 (streets to receive lighting are as designated in the Lake Street E (5th Av S to Hiawatha Av S) Streetscape and Street Lighting Revitalization Project, Special Improvement of Existing Street No 6707) as delineated in a report of the Transportation and Public Works Committee passed by the City Council January 14, 2005 be and hereby is given preliminary approval.

Your Committee further recommends that Street Lighting District No. 1312 not be considered for final approval until at least two weeks from now in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee, having under consideration the Lake Street East (5th Av S to Hiawatha Av S) Reconstruction, Streetscape, and Street Lighting Revitalization Projects, now recommends:

a) That the proper City Officers be authorized to enter into a City/County Cooperative Agreement (County Agreement No. PW 01-20-05) pending satisfactory review by the Department of Public Works and City Attorney's Office (Petn No 270239);

b) Passage of the accompanying Resolution increasing the appropriation in the PW-Transportation Capital Agency in the Permanent Improvement Projects Fund by \$1,029,608.60 to be fully reimbursed by Hennepin County.

c) Passage of the accompanying Resolution increasing the appropriation in the PW-Transportation Capital Agency in the Permanent Improvement Projects Fund by \$17,827.40 for the City's share of County requested Force Account Work to be performed by the City's Traffic Division, funded 100% with City Net Debt Bonds; and

d) Approval of the proposed enhancements at the Chicago/Lake and Bloomington/Cedar/Lake streetscape districts.

Adopted 2/25/05.

Absent – Johnson.

RESOLUTION 2005R-110
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation in PW-Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$1,029,608.60 to be fully reimbursed by Hennepin County revenue source increase (4100-943-9440-3220).

Adopted 2/25/05.

Absent – Johnson.

RESOLUTION 2005R-111
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation in PW-Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$17,827.40, funded 100% with City Net Debt Bonds.

Decrease PW-Paving Construction Capital Agency in the Permanent Improvement Projects Fund (4100-937-9372- PV504) Net Debt Bonds Appropriation by \$17,827.40.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase Contract No. C-20974 with Wetland Habitat Restoration, Inc. in the amount of \$40,000, for a revised contract total of \$108,000, due to increased sod, erosion control, and fencing needs. Funds are available within the existing budget.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a new five-year lease for the City Attorney's Office at its current location in the Accenture Building, 333 South 7th Street, for an amount not to exceed \$2,850,000.

Lilligren moved to postpone. Seconded.

Colvin Roy moved to substitute that the matter be referred back to the Transportation & Public Works Committee. Seconded.

Adopted upon a voice vote 2/25/05.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to proceed with a Request for Proposals, as set forth in Petn No 270240, for check guarantee services to provide an electronic approval process for checks accepted at the City of Minneapolis Impound Lot, contingent upon Permanent Review Committee approval.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee, having under consideration the Midtown Greenway (Phase 3) Permit Agreement and construction plans (Petr 270240), now recommends:

a) Authorizing the proper City officers to enter into a Permit Agreement (easement) for the City to use the Hennepin County Regional Railroad Authority (HCRRA) property for the Midtown Greenway (Phase 3) Trail;

b) Approval of the Phase 3 trail construction plans and specifications; and

c) Authorizing the proper City officers to obtain construction bids.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee, having under consideration the Mill Quarter Regional Storm Water Facility, now recommends passage of the accompanying Resolution increasing the appropriation and revenue source for the Sewer Construction Capital Agency in the amount of \$610,382.

Adopted 2/25/05.

Absent – Johnson.

RESOLUTION 2005R-112
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation and revenue source for the PW-Sewer Construction Capital Agency in the Sewer Enterprise Fund out of the Storm Water Fund (7300-932-9322) in the amount of \$610,382 to be applied as follows:

a) Increasing the appropriation by \$610,382 (7300-932-9322) and increasing the revenue source (7300-932-9322-3755) by \$390,382, to be reimbursed by funds in the storm water utility fee deferred revenue account 2255 (Fees Collected for Storm Water Facilities);

b) Increasing the revenue source (7300-932-9322-3410) by \$220,000 sewer revenue;

c) Decreasing the appropriation in 7300-932-9322-SW002 (SW502) Miscellaneous Storm Drains, by \$220,000; and

d) Decreasing revenue source 7300-932-9322-3410 by \$220,000.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a twenty-year contract, retroactive to January 1, 2004, for the sale of water to the Joint Water Commission (Crystal, Golden Valley, New Hope) according to the terms set forth in Petn No 270240 on file in the office of the City Clerk.

Adopted 2/25/05.

Absent – Johnson.

T&PW & W&M/Budget - Your Committee, having under consideration passage of the accompanying Resolution increasing the appropriation and revenue source for the Chicago Avenue Bridge Project by \$553,000, now recommends:

T&PW - That said Resolution be **sent forward without recommendation**.

W&M/Budget - Approval.

Lilligren moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Transportation & Public Works Committee recommendation. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 2/25/05.

Absent – Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

RESOLUTION 2005R-113
By Colvin Roy and Johnson

Amending The 2005 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by:

a) Increasing the appropriation for the PW-Paving Construction Capital Agency in the Capital Improvements Fund (4100-937-9386-BR003) and increasing the revenue source (4100-937-9386-3215) by \$553,000; and

b) Decreasing the appropriation in the PW-Paving Construction Capital Agency in the Capital Improvement Fund (4100-937-9372-PV008) and decreasing the revenue source (4100-937-9372-3215) by \$553,000.

Adopted 2/25/05.
Absent – Johnson.
Approved by Mayor Rybak 2/25/05.
(Published 3/1/05)

T&PW & W&M/Budget - Your Committee, having under consideration passage of the accompanying Resolution approving a bid submitted to the Public Works Department, in accordance with City specifications (Petrn 270240), now recommends:

T&PW - That said bid be **sent forward without recommendation**.

W&M/Budget - Approval.

Lilligren moved that the report be amended to approve the Ways & Means/Budget Committee recommendation and to delete the Transportation & Public Works Committee recommendation. Seconded.

Adopted upon a voice vote.
The report, as amended, was adopted 2/25/05.
Absent – Johnson.
Approved by Mayor Rybak 2/25/05.
(Published 3/1/05)

Resolution 2005R-114, granting approval of the low bid for the construction of the Chicago Av Bridge, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-114
By Colvin Roy and Johnson

Granting approval of a bid for a project and/or service for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute a contract for the project and/or service, in accordance with City specifications, and contingent upon approval of the Civil Rights Department (Petrn No 270240):

OP #6376, accept the low bid of Lunda Construction Company, in the amount of \$1,497,400.88, to furnish all labor, materials, equipment, permits, and incidentals necessary to accomplish the construction of the Chicago Avenue Bridge.

Adopted 2/25/05.
Absent - Johnson.
Approved by Mayor Rybak 2/25/05.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having under consideration a request to authorize execution of two non-standard agreements for services not to exceed \$50,000, now recommends that the proper City officers be authorized to execute the following contracts:

- a) AOT Public Safety Corporation for software and ongoing support to the Inspections Services Division for false alarm occurrences; and
- b) Cognos Corporation for upgrade of the ReportNet, PowerPlay and Transportation Server products.

Adopted 2/25/05.
Absent - Johnson.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing settlement of legal matters, as recommended by the City Attorney.

Adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-115, authorizing settlement of the legal claims of Teflon Edwards, Joseph Hoberg and Talisha Miller, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-115

By Johnson

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

a) Teflon Edwards by payment of \$5,000 to Mr. Edwards and his attorney Al Goins;

b) Joseph Hoberg, by payment of \$7,500 to Mr. Hoberg and his attorneys Flynn, Gaskins & Bennett, LLP; and

c) Talisha Miller, by payment of \$5,000 to Ms. Miller and her attorney Peter J. Nickitas.

Your Committee further recommends that the proper City officers be authorized to execute any documents necessary to finalized said settlements.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee, having under consideration the claim of Ronald Blackmon, now recommends that the proper City officers be authorized to proceed with payment of a Rule 68 Offer of Judgment in the amount of \$13,875 in said matter and be further authorized to execute any documents necessary to effectuate said settlement pursuant to an offer of judgment.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee, having under consideration the lawsuit filed against the City by Edith Madora Hudson regarding violation of her rights by the City and John Mills and an Administrative Hearing having been held before Administrative Law Judge Allen W. Kline who issued Findings of Fact, Conclusions and a Recommended Decision, now recommends that the City Council deny defense and indemnification to former Police Officer John Mills on the grounds that Mills was acting outside the scope of his duties, was guilty of malfeasance, committed willful neglect of duty and was acting in bad faith under Minnesota Statutes, Section 466.07, and Article 25 of the Labor Agreement and adopts and makes part of this report said Findings of Fact, Conclusions and Recommended Decision on file in the Office of the City Clerk.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for court reporting services for the City Attorney's Office.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for legal courier services for service of process, subpoenas and other legal documents.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee, having under consideration the New Central Library Project, now recommends approval of the following Change Orders:

a) Change Order #1 decreasing Contract #C-20133 with HKL Cladding Systems, Inc. by \$310,631, for a new contract total of \$8,479,369;

b) Change Order #3 increasing Contract #C-20481 with PCL Construction Services, Inc. by \$148,238, for a new contract total of \$18,425,106; and

c) Change Order #4, increasing Contract #C-20345 with Egan Companies, Inc. (electrical) by \$43,865, for a new contract total of \$8,827,866.

Adopted 2/25/05.

Absent - Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to spend up to an additional \$150,000 for contractual services for actuarial work in support of the City's pension reform and liability assumptions in the Self-Insurance Fund and be further authorized to increase Professional Services Agreement #C-17681 with Deloitte Consulting by \$150,000 for the additional services.

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee, having received recommendations from the Finance Department regarding the 2006 - 2010 the Capital Long-Range Improvements Committee (CLIC) as included in Petn 270245, now recommends;

a) Adoption of the 2005 CLIC Schedule and establishment of the capital budget submission deadline as noon on April 1, 2005;

b) Adoption of the 2005 CLIC Capital Guidelines for use in evaluating 2006 - 2010 Capital requests;

c) Passage of the accompanying Resolution approving City Council Appointments of CLIC members for the new term of February 1, 2005 to January 31, 2007; and

d) Provision of tax supported resource direction to CLIC, city departments, independent boards & commissions.

Adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-116, approval of the City Council Appointments of Capital Long-Range Improvements Committee (CLIC) members, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-116

By Johnson

Approving City Council Appointments to the Capital Long-Range Improvements Committee (CLIC).

Resolved by the City Council of the City of Minneapolis:

Council Ward #	2005 CLIC Members	Council Ward #	2005 CLIC Members
1	Patrick Todd	8	Robinson Cook
1	Ginger Derosier	8	Beth Hart
2	Todd Ruebold	9	Kris Brogan
2	Ann Jaede	9	Bradley Pass
3	Greg Baumgartner	10	Gary Thaden
3	Anthony Hofstede	11	Mary Ubl
4	Jeffrey Strand	11	Willie Bridges
4	Roberta Englund	12	Randall Kindley
5	Booker Hodges	12	John Barron
5	Michael Paul Weber	13	Robert Gustafson
6	Michelle Redmond	13	Charles Follen
6	William Kingsbury		
7	Bengt Sohlen		
7	Bruce Shnider		

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee, having under consideration the official 2005 Consolidated Plan awards, now recommends passage of the accompanying Resolution amending the 2005 Consolidated Plan budget (Schedule 4 contained in Resolution 2004R-578) to be reflective of across-the-board percentage cuts with respect to individual Consolidated Plan grants/programs.

Goodman moved to amend the report by adding the following direction:

"To accommodate these cuts, City departments may make a one-time adjustment in individual Year 31 program budgets within the department as long as their total allocation to administration and public services does not increase. Departments are required to notify the Grants Office no later than March 10, 2005 of any such amendments." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 2/25/05.

Absent - Johnson.

Resolution 2005R-117, amending the 2005 Consolidated Plan budget to be reflective to across-the-board percentage cuts with respect to individual Consolidated Plan grants/programs, was passed 2/25/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-117

By Johnson

Amending Resolution No. 2004R-578, as amended, entitled "Fixing the maximum amounts to be expended by the various departments for 2005 from the various funds under the jurisdiction of the City Council for which the City Council levies taxes and fees", passed December 13, 2004.

Resolved by the City Council of the City of Minneapolis:

That the approved CDBG Schedule 4 be amended to read as follows:

SCHEDULE FOUR

Year 31 (2005) – Community Development Block Grant

Organization	Project	Council Approved, December 13, 2004	HUD Final Award Notice Notice, Approved by Council February 25, 2005
Capital /Other—CDBG			
Community Planning and Economic Development	Industry Cluster Program (Living Wage Jobs)	99,000	94,348
Community Planning and Economic Development	Adult Training, Placement and Retention	641,000	610,878
Community Planning and Economic Development	Homeownership Program (GMMHC)	520,000	495,564
Community Planning and Economic Development	Multi-Family/Affordable Housing	5,140,000	4,898,461
Community Planning and Economic Development	NonProfit MF Rental Development Assistance	250,000	238,252
Community Planning and Economic Development	NEDF/CEDF	150,000	142,951
Community Planning and Economic Development	Residential Loan/Grant	600,000	571,805
Community Planning and Economic Development	Vacant & Boarded Housing	1,200,000	1,143,610
Community Planning and Economic Development	High density corridor housing	1,000,000	953,008
Greater Minneapolis Day care Association	Childcare Facilities Loan/Grant	322,000	306,869
Minneapolis Public Housing	General Rehabilitation	312,000	297,338
Operations/Regulatory Services - Environmental	Lead Reduction	180,000	171,541
Multiple Departments (Fire, Ops/Regs, City Attorney, Police)	New Problem Properties Strategy	202,000	192,508
Total Capital/Other (65%)		10,616,000	10,117,133
Public Service—CDBG*			
Community Planning and Economic Development	Youth Employment	568,000	541,309
Community Planning and Economic Development	Mortgage Foreclosure Prevention Program	250,000	238,252
Youth Coordinating Board	Way to Grow	310,000	295,432
Department of Health and Family Support	Advocacy (Housing)	110,000	104,831
Public Works	Graffiti Removal on Public Property	107,000	101,972
Minneapolis Urban League	Curfew/Truancy Center	104,000	99,113
Department of Health & Family Support	PHAC RFP Recommendations	981,600	935,473
Total Public Service (15%)		2,430,600	2,316,381
Administration—CDBG			
Civil Rights Department	Fair Housing Initiative/Davis Bacon Compliance	270,000	257,312
Community Planning and Economic Development	Citizen Participation	345,000	328,788
Community Planning and Economic Development	Program Admin	75,000	71,476
Community Planning and Economic Development	Planning - Administration	1,230,400	1,172,581
Department of Health & Family Support	Neighborhood Services	107,000	101,972
Department of Health & Family Support	Grant Administration	100,000	95,301
Department of Health & Family Support	Way to Grow Administration	36,000	34,308
Finance Department	Administration	285,000	271,607
Intergovernmental Relations	Grants & Special Projects	230,000	219,192
Legal Aid Society	Legal Aid Society	49,000	46,697
Minneapolis Public Housing	Citizen Participation	98,000	93,395
Youth Coordinating Board	Administration	59,000	56,227
Fair Housing Implementation Council	Metro Fair Housing	18,000	17,154
Legal Aid Society	Housing Discrimination Law Project	80,000	76,241
Civil Rights Department	New Arrivals/Native American Indian Advocate	175,000	166,776
Total Administration (20%)		3,157,400	3,009,027
CDBG Total (100%)		16,204,000	15,442,542
Other Consolidated Plan	Entitlement Funds		
HOME Investment Partnerships	Community Planning and Economic Development	3,911,000	3,779,193
Emergency Shelter Grants (ESG)	Community Planning and Economic Development	601,000	596,655
Housing Opportunities for Persons with AIDS (HOPWA)	Minnesota Housing Finance Agency	834,000	797,000
American Dream Down Payment Initiative (ADDI)	Community Planning and Economic Development	228,000	130,230
Grand Total Consolidated Plan		21,778,000	20,745,620

Appendix

NAME	CDBG FY05	HOME FY05	ADDI FY05	ESG FY05	HOPWA FY05
MINNESOTA STATE PROGRAM	23,155,171	10,265,458	291,799	1,197,334	105,000
BLOOMINGTON	469,818				
COON RAPIDS	352,817				
DULUTH	3,224,428	810,784		124,425	
MINNEAPOLIS	15,442,542	3,779,193	130,230	596,655	797,000
MOORHEAD	322,578				
PLYMOUTH	302,894				
ROCHESTER	641,311				
ST CLOUD	545,821				
ST PAUL	9,069,381	2,435,003	86,494	348,422	
ANOKA COUNTY	1,291,544				
DAKOTA COUNTY	1,951,003	2,488,597	114,927		
HENNEPIN COUNTY	3,314,879	2,107,981	98,482	128,528	
RAMSEY COUNTY	1,210,875				
ST LOUIS COUNTY	2,777,543	724,415	22,737	107,207	
WASHINGTON COUNTY	912,951				

Adopted 2/25/05.

Absent - Johnson.

W&M/Budget - Your Committee recommends acceptance of the low bid received on O.P. No. 6378 of Minnesota Remodeling and Restoration Company for an estimated annual expenditure of \$2,000,000 for furnishing and delivering all labor, materials, equipment and incidentals necessary for lead hazard reduction services.

It is further recommended that the proper City officers be authorized and directed to execute the contract for said services.

Adopted 2/25/05.

Absent - Johnson.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Richard Anderson from the decision of the Planning Commission which granting the applications of the Minneapolis Public Housing Authority for a conditional use permit and site plan review for a five-unit townhouse development at 3824 W 44th St (Linden Hills Townhomes), now recommends that said appeal be denied and the decisions of the Planning Commission be upheld, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 2/25/05.

Absent – Johnson.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of the Minneapolis Public Housing Authority (BZZ-2116) to rezone the property at 3824 W 44th St from R1A to the R4 District to permit a five-unit townhouse development (Linden Hills Townhomes), and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/25/05.

Absent – Johnson.

Ordinance 2005-Or-013, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3824 W 44th St to the R4 District, was passed 2/25/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-013
By Schiff
1st & 2nd Readings: 2/25/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. All of Lots 20, 21 and 22 and the East 5.64 feet of Lot 19, Block 11, Waveland Park, according to the recorded plat thereof, and situate in Hennepin County, MN (3824 W 44th St - Plate 29) to the R4 District.

Adopted 2/25/05.

Absent – Johnson.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Alliance Housing, Inc (BZZ-2142) to rezone the property at 2510 Minnehaha Ave from I1 to the C3S District to permit a mixed-use development (Commons at Hiawatha, 2740 Minnehaha Ave), and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/25/05.

Absent – Johnson.

Ordinance 2005-Or-014, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2510 Minnehaha Ave to the C3S District, was passed 2/25/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-014
By Schiff
1st & 2nd Readings: 2/25/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Outlot A, Minnehaha Industrial Park, according to the recorded plat thereof, lying westerly of a line described as commencing at the most westerly corner of said Outlot A; thence on an assumed bearing of North 71 degrees 47 minutes 06 seconds East, along the southeast line of said Outlot A and the north line of Auditor's Subdivision No. 119, files of the County Recorder, a distance of 102.29 feet to a point 386.63 feet easterly of the most westerly corner of said Auditor's Subdivision No. 119, as measured along said north line of Auditor's Subdivision No. 119; thence South 64 degrees 11 minutes 06 seconds West a distance of 191.39 feet; thence South 27 degrees 05 minutes 11 seconds East a distance of 60.77 feet; thence South 89 degrees 10 minutes 51 seconds East a distance of 260.23

feet; thence North 64 degrees 27 minutes 55 seconds East a distance of 188.12 feet to the point of beginning of the line to be described; thence North 0 degrees 08 minutes 10 seconds East a distance of 160.36 feet; thence northeasterly a distance of 32.33 feet along a tangential curve concave to the southeast, having a radius of 40.00 feet and a central angle of 46 degrees 18 minutes 32 seconds; thence North 46 degrees 26 minutes 42 seconds East, tangent to said curve, a distance of 61.72 feet to the northeast line of said Outlot A and said line there terminating, all in Hennepin County, Minnesota (2510 Minnehaha Ave - Plate 27) to the C3S District.

Adopted 2/25/05.

Absent – Johnson.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Celeste and Abbie Shahidi (BZZ-2115) to rezone the properties at 212 Ontario St SE and 825 Washington Ave SE from C1 to the C3A District for the existing shopping center with restaurant uses (Stadium Village Mall), and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/25/05.

Absent – Johnson.

Approved by Mayor Rybak 2/25/05.

(Published 3/1/05)

Ordinance 2005-Or-015, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 212 Ontario St SE and 825 Washington Ave SE to the C3A District, was passed 2/25/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-015

By Schiff

1st & 2nd Readings: 2/25/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, 212 Ontario St SE and 825 Washington Ave SE, to the C3A District (Zoning Plate 22), pursuant to MS 462.357:

A. Lots 1 and 2, except the North 100 feet thereof, Edwards and Lewis' Subdivision of Lots 1, 2, 3, and 4, Block 6, Baker's Addition to St. Anthony, according to the plat thereof on file or record in the office of the Register of Deeds in and for said County.

B. All of Lot 5 and those parts of lots 8 and 9, Block 6, Baker's Addition to St. Anthony, described as follows: Commencing at the Northwestern corner of Lot 8; thence Southerly along the Westerly line of Lot 8 to a point 99 feet Southerly from the Northwestern corner of Lot 5; thence Easterly and at a right angle to Ontario Street, to a point distant 93'2" West from said Westerly line of Ontario Street; thence Southerly and at a right angle to the Southerly line of Lot 9; thence in an Easterly direction along the Southerly line of Lot 9 a distance of 93'2" to the Southeasterly corner of Lot 9; thence in a Northerly direction along the Easterly boundary lines of Lots 9 and 8 to the Northeasterly corner of Lot 8; thence Westerly along the Northerly line of Lot 8 to the point of beginning, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County.

Adopted 2/25/05.

Absent – Johnson.

Approved by Mayor Rybak 2/25/05.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Walid El-Hindi (BZZ-2163) to rezone the property at 3228 Garfield Ave S from R2B to the R4 District to permit construction of a four-story, six-unit owner-occupied condominium development, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/25/05.

Absent – Johnson.

Ordinance 2005-Or-016, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 3228 Garfield Ave S to the R4 District, was passed 2/25/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-016

By Schiff

1st & 2nd Readings: 2/25/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Motor Line Addition to Minneapolis, Block 12, Lot 8 and South one-half of Lot 7 (3228 Garfield Ave S – Plate 24) to the R4 District.

Adopted 2/25/05.

Absent – Johnson.

Z&P – Your Committee concurs in the recommendations of the Planning Commission relating to the following applications of Patrick Collins for expansion of a used car sales business/lot at 513 and 519 E Lake St, and adopting the related findings prepared by the Department of Community Planning & Economic Development:

a) Denying the application to rezone the properties from C1 and C2 to the C4 District; and

b) Denying the application to vacate part of the “T-shaped” alley bounded by E Lake and 31st Sts and 5th and Portland Aves S.

Adopted 2/25/05.

Absent – Johnson.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of the City of Minneapolis (BZZ-2137) to rezone the following properties to permit a stormwater retention pond, and adopting the related findings prepared by the Department of Community Planning & Economic Development:

3701 and 3707 Columbus Ave, 722 E 37th St and 726 E 37th St from R5 to the R4 District;

3700 Chicago Ave from C2 to the R4 District;

3708 Chicago Ave from OR1 to the R4 District; and

3644 Chicago Ave from C2 to the OR1 District.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 2/25/05.

Absent – Johnson.

Ordinance 2005-Or-017, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 3701 and 3707 Columbus Ave; 722 and 726 E 37th St; 3700 and 3708 Chicago Ave to the R4 District and 3644 Chicago Ave to the OR1 District, was passed 2/25/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-017
By Schiff
1st & 2nd Readings: 2/25/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the following parcels of land (Zoning Plates 25 and 26), pursuant to MS 462.357:

A. Lots 22, 23 and 24, Block 1, Irving A. Dunsmoor's Addition to Minneapolis (3701 Columbus Ave) to the R4 District.

B. Lots 20 and 21, Block 1, Irving A. Dunsmoor's Addition to Minneapolis (3707 Columbus Ave) to the R4 District.

C. The West 44 ½ feet of Lots 7 and 8, Block 1, George W. Small's Sub. Of Elisha Moses Outlots in SW 1/4 of SW 1/4 of Section 2, Township 28, Range 24 (722 E 37th St) to the R4 District.

D. The West 44 ½ feet of the East 84 ½ feet of Lots 7 and 8, Block 1, George W. Small's Sub. Of Elisha Moses Outlots in SW 1/4 of SW 1/4 of Section 2, Township 28, Range 24 (726 E 37th St) to the R4 District.

E. Lots 1, 2 and 3 and the North 8 1/3 feet of Lot 4, Block 1, Irving A. Dunsmoor's Addition to Minneapolis (3700 Chicago Ave) to the R4 District.

F. Lot 5 and the South 16 2/3 feet of Lot 4, Block 1, Irving A. Dunsmoor's Addition to Minneapolis (3708 Chicago Ave) to the R4 District.

G. Lots 4, 5, 6 and the East 40 feet of Lots 7 and 8, Block 1, George W. Small's Sub. Of Elisha Moses Outlots in SW 1/4 of SW 1/4 of Section 2, Township 28, Range 24 (3644 Chicago Ave) to the OR1 District.

Adopted 2/25/05.

Absent – Johnson.

Z&P - Your Committee concurs in the recommendation of the Planning Commission in granting the application of the City of Minneapolis (#1420) to vacate E 37th St between Chicago and Columbus Aves, required as part of a land exchange between the City of Minneapolis and the Spiritual Assembly of Baha'i for construction of a stormwater retention pond, subject to retention of easement rights, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said street.

Adopted 2/25/05.

Absent – Johnson.

Lane moved to reconsider the vote on the above report at the Adjourned City Council meeting held 2/25/05. Seconded.

Adopted upon a voice vote.

Schiff moved that the report be postponed. Seconded.

Adopted upon a voice vote 2/25/05.

MOTIONS

Schiff introduced the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration & Enforcement*, which was given its first reading and referred to the Zoning & Planning Committee on 2/25/05 ([amending fees for site plan review to reflect changes to the scope and administration of Chapter 530, Site Plan Review](#)).

Schiff introduced the subject matter of an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability*, which was given its first reading and referred to the Zoning & Planning Committee on 2/25/05 ([specifying certain development standards for buildings and uses that are not subject to site plan review](#)).

UNFINISHED BUSINESS

David O'Brien (4525 Hiawatha Ave S):

Passage of Ordinance to rezone property to permit a pet store & other retail uses (Postponed 2/11/05).

By unanimous consent the above report was postponed 2/25/05.

NEW BUSINESS

Lilligren moved to adjourn to Room 315 City Hall to consider the City of Minneapolis and the Minneapolis Community Development Agency v. Northside Economic Development Council (NEDC) lawsuit. Seconded.

Adopted upon a voice vote 2/25/05.

Room 315 City Hall

Minneapolis, Minnesota

February 25, 2005 - 11:00 a.m.

The Council met pursuant to adjournment.

President Ostrow in the Chair.

Present - Colvin Roy, Zimmermann, Schiff (In at 11:10 a.m.), Zerby, Lilligren (Out at 11:25 a.m.), Niziolek, Benson (In at 11:10 a.m. and Out at 11:47 a.m.), Goodman, Lane, Samuels (Out at 11:53 a.m.), Ostrow.

Absent - Johnson Lee, Johnson.

Also present - Peter Ginder, Deputy City Attorney; Susan Trammell, Assistant City Attorney; Merry Keefe (Out at 11:28 a.m.), City Clerk; and Julie Bartell, City Clerk's Office.

Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the City of Minneapolis and the Minneapolis Community Development Agency v. Northside Economic Development Council (NEDC) lawsuit.

At 11:05 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Trammell summarized the City of Minneapolis and the Minneapolis Community Development Agency v. Northside Economic Development Council (NEDC) lawsuit from 11:10.m. to 11:30 a.m.

At 11:58 a.m., Zerby moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Zerby moved to adjourn. Seconded.
Adopted by unanimous consent.

Merry Keefe,
City Clerk.

Unofficial Posting: 3/01/2005
Official Posting: 3/07/2005
Corrected: 3/31/2005
7/19/2005